

SENATE BILL 496

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11r1031
CF 11r2769

By: **Senator Brinkley**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Brewery License – Samples and Sales**

3 FOR the purpose of altering the number of beer samples that a holder of a brewery
4 license may provide to a person of legal drinking age who participates in a tour,
5 promotional event, or other organized activity at the licensed premises; altering
6 the limit on certain purchases of beer per person; establishing a certain
7 limitation on selling beer under certain circumstances; altering the sample size
8 that a holder may provide at a promotional event; altering the limit on the
9 number of special brewery promotional event permits that a holder may be
10 issued in a calendar year; and generally relating to brewery licenses.

11 BY repealing and reenacting, with amendments,
12 Article 2B – Alcoholic Beverages
13 Section 2–206
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2010 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 2B – Alcoholic Beverages**

19 2–206.

20 (a) A Class 5 manufacturer’s license:

21 (1) Is a brewery license; and

22 (2) Authorizes the holder to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Establish and operate in this State a plant for brewing and
2 bottling malt beverages at the location described in the license;

3 (ii) Import beer from holders of nonresident dealer's permits;
4 and

5 (iii) Sell and deliver beer to any wholesale licensee in this State,
6 or person outside of this State, authorized to acquire it.

7 (b) (1) A licensee may:

8 [(1)] (I) Serve [up to 6 ounces for a sample of beer brewed at the
9 licensed premises to anyone who has taken a tour of the brewery, if that person is of
10 legal drinking age; and] **TO A PERSON OF LEGAL DRINKING AGE WHO
11 PARTICIPATES IN A GUIDED TOUR OF THE FACILITY OR ATTENDS A SCHEDULED
12 PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE LICENSED
13 PREMISES, NOT MORE THAN SIX SAMPLES OF BEER BREWED AT THE LICENSED
14 PREMISES, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN 6 OUNCES
15 FROM A SINGLE STYLE OF BEER;**

16 [(2)] (II) Sell beer brewed at the brewery for off-premises
17 consumption to anyone who participates in a guided tour of the brewery **OR ATTENDS
18 A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE
19 LICENSED PREMISES**, subject to the following restrictions:

20 (i) The purchase is limited to [144] **288** ounces of beer per
21 person [each year, based upon records kept by the brewery and forwarded to the Office
22 of the Comptroller at intervals specified by that Office]; and

23 (ii) The person has attained the legal drinking age.

24 (c) (1) The Office of the Comptroller may issue a special brewery
25 promotional event permit to a holder of a Class 5 manufacturer's license.

26 (2) The permit authorizes the holder to conduct on the premises of the
27 brewery a promotional event at which the holder may:

28 (i) Provide samples of not more than [2] **6** fluid ounces per
29 brand to consumers; and

30 (ii) Sell beer produced by the holder to persons who participate
31 in the event.

32 (3) The beer at the event shall be sold by the glass and for
33 consumption on the premises only.

1 (4) A holder of a Class 5 manufacturer's license may not be issued
2 more than ~~four~~ **12** permits in a calendar year.

3 (5) A single promotional event may not exceed 3 consecutive days.

4 (6) The permit fee is \$25 per event.

5 (7) To obtain a permit, a person, at least 15 days before the event,
6 shall file with the Office of the Comptroller an application that the Office provides.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2011.